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UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Respondent-Plaintiff,

v.

RENE MARTIN VERDUGO-URQUIDEZ,

Petitioner-Defendant.

No. CV 15-09274-JAK  
(CR 87-00422-JAK)

ORDER

As stated in the Court's order of May 22, 2017 (Docket Entry 37) in the above-captioned case, petitioner's motion to vacate, set-aside, or correct sentence filed pursuant to 28 U.S.C. § 2255 is GRANTED. Each count of conviction is vacated.

On or before August 29, 2017, the Government shall report to the Court and petitioner/defendant the results of any DNA hair forensic testing conducted in the case. This report shall state whether the Government intends to pursue a new trial. Pursuant to 18 U.S.C. § 3161(e), any such trial is to commence within 180 days of the issuance of the Court's Order granting Petitioner's Motion to Vacate.

Within ten (10) days of this order, the Government shall submit proposed findings of fact and conclusions of law pursuant to the Speedy Trial Act and 18 U.S.C. 3161.

1 The Court further finds, pursuant to the Bail Reform Act, 18  
2 U.S.C. § 3142(f), that no condition or combination of conditions  
3 would assure the safety of the community and the on-going appearance  
4 of petitioner/defendant in this case, and petitioner/defendant is  
5 therefore ordered DETAINED without bond pending a new trial, or a  
6 determination by the Government that no new trial will be sought.  
7 These findings are based on the nature of the charges in this case,  
8 and the lack of any lawful status of petitioner/defendant in the  
9 United States known to the Court. This order of detention is without  
10 prejudice.

11 IT SO ORDERED.

12 || Dated: June 5, 2017

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HONORABLE JOHN A. KRONSTADT  
United States District Judge